

ENTERED

October 14, 2016

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JOE SHIELDS,

§

Plaintiff,

§

v.

§

EXTEND HEALTH, INC.,

§

Defendant.

§

CIVIL ACTION NO. 4:15-CV-02683

FINAL JUDGMENT

Whereas, this Court issued a Memorandum and Order, dated September 23, 2016, in which it granted in part and denied in part both Plaintiff's Motion for Summary Judgment and Defendant's Cross-Motion for Summary Judgment (Doc. No.: 29); and

Whereas the Court found that Defendant Extend Health, Inc. is liable to Plaintiff for certain violations of the Telephone Consumer Protection Act of 1991, 47 U.S.C. § 227, based on three telephone calls placed to him, and

Whereas the Court granted Defendant's Cross-Motion for Summary Judgment (Doc. #16) as to Plaintiff's claim under 47 C.F.R. § 64.1200(d)(1) and his claims under Texas Business & Commerce Code § 305.053; and

Whereas the Court denied Plaintiff's Motion for Summary Judgment with respect to his claim for treble damages under the Telephone Consumer Protection Act, 47 U.S.C. § 227, and Plaintiff then waived his claims for treble damages as well as for injunctive relief;

Therefore, in accordance with the foregoing, it is hereby

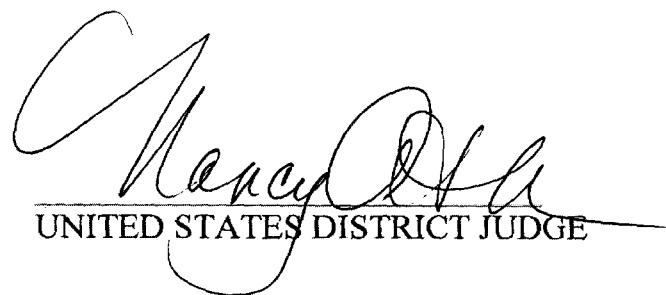
ORDERED that Final Judgment is entered in favor of Plaintiff and against the Defendant in the following amounts:

- (i) \$1,500.00 as statutory damages under the Telephone Consumer Protection Act, 47 U.S.C. § 227;
- (ii) \$400.00 as court costs, and
- (iii) Post-judgment interest at the statutory rate of .65 %, as of the date of entry of this Final Judgment.

All relief not expressly granted in this Final Judgment, including but not limited to treble damages, attorney's fees, pre-judgment interest and attorney's fees, is hereby denied.

The Court shall maintain jurisdiction over this action for the purpose of enforcing this Judgment.

Signed this 14th day of Oat., 2016.



Nancy O'Ale
UNITED STATES DISTRICT JUDGE